This document is scheduled to be published in the Federal Register on 2026-11-18 and available online at https://www.federalregister.gov/d/2026-23435, and on https://govinfo.gov

e 6355-01-P]

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1263

[Docket No. CPSC-2023-0004]

Safety Standard for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries

AGENCY: Consumer Product Safety Commission.

ACTION: Direct final rule.

SUMMARY: In September 2023, the U.S. Consumer Product Safety Commission (CPSC or Commission) issued a safety standard for button cell or coin batteries and consumer products containing such products in accordance with Reese's Law. The standard incorporated by reference ANSI/UL 4200A-2023, *Standard for Safety for Products Incorporating Button Batteries or Coin Cell Batteries*. UL Standards and Engagement (ULSE) has now issued a revised standard, ANSI/UL 4200A-2026. Consistent with Reese's Law, this direct final rule updates the mandatory safety standard to incorporate by reference ANSI/UL 4200A-2026.

DATES: The rule is effective on February 13, 2027, unless CPSC receives a significant adverse comment by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. If CPSC receives such a comment, it will publish a document in the *Federal Register*, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of February 13, 2027.

ADDRESSES: You can submit comments, identified by Docket No. CPSC-2023-0004, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: https://www.regulations.gov. Follow the instructions for submitting comments. CPSC

typically does not accept comments submitted by email, except as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal.

Mail/Hand Delivery/Courier/Confidential Written Submissions: Submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 441 G Street NW, Washington, DC 20548; telephone: (301) 504-7479. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: cpsc-os@cpsc.gov.

Instructions: All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: https://www.regulations.gov. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier/confidential written submissions.

Docket: For access to the docket to read background documents or comments received, go to: https://www.regulations.gov, and insert the docket number, CPSC-2023-0004, into the "Search" box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Carolina Abraham, Compliance Officer, U.S. Consumer Product Safety Commission, 441 G Street NW, Washington, DC 20548; telephone: (301) 504-7603; email: cabraham@cpsc.gov; or Daniel Taxier, Project Manager, Division of Mechanical and Combustion Engineering, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987–2211; email: dtaxier@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. Statutory Authority

Reese's Law was enacted to protect children six years old or younger against hazards associated with the ingestion of button cell or coin batteries during reasonably foreseeable use or misuse conditions. 15 U.S.C. 2056e(a)(1). Section 5 of Reese's Law broadly defines a "button cell or coin battery" as "(A) a single cell battery with a diameter greater than the height of the battery; or (B) any other battery, regardless of the technology used to produce an electrical charge, that is determined by the Commission to pose an ingestion hazard." Notes to 15 U.S.C. 2056e.

Section 2(a) of Reese's Law mandates that CPSC promulgate a final consumer product safety standard for button cell or coin batteries and consumer products containing such batteries. 15 U.S.C. 2056e(a). Section 2(a)(1) of Reese's Law mandates that a rule must include performance requirements for button cell or coin battery compartments on consumer products to secure them in a manner that eliminates or adequately reduces the risk of injury from the ingestion of button cell or coin batteries by children who are six years old or younger, during reasonably foreseeable use or misuse of the product. 15 U.S.C. 2056e(a)(1). Section 2(a)(1) of Reese's Law also mandates the rule require warning labels that meet specified requirements regarding the nature of the ingestion hazard on the packaging, on the product, and in product literature. 15 U.S.C. 2056e(a)(2). However, if the Commission determines before promulgating a rule that an existing voluntary standard meets the performance and labeling requirements in section 2(a) of Reese's Law, then under section 2(d)(1) of Reese's Law the requirement for the Commission to promulgate a rule does not apply. 15 U.S.C. 2056e(d)(1). Instead, the Commission must publish such determination of a voluntary standard's sufficiency in the *Federal Register*. 15 U.S.C. 2056e(d)(2).

B. Commission Determination's Under Reese's Law

In accordance with section 2(d) of Reese's Law, the Commission determined that ANSI/UL 4200A, *Standard for Safety for Products Incorporating Button Batteries or Coin Cell Batteries,* approved on August 30, 2023 (UL 4200A-2023), met the performance and labeling

requirements in section 2(a) of Reese's Law with respect to consumer products containing button cell or coin batteries, and the voluntary standard was codified at 16 CFR part 1263, "Safety Standard for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries." 88 FR 65274 (Sep. 21, 2023). Section 2(e)(1) of Reese's Law states that a voluntary standard determined by the Commission to meet the requirements of section 2(d) shall be treated as a consumer product safety rule promulgated under section 9 of the CPSA (15 U.S.C. 2058). 15 U.S.C. 2056e(e)(1).

C. Reese's Law Revisions Process

Section 2(f) of Reese's Law specifies the process for updating the Commission's rule when a voluntary standards organization revises a standard that the Commission has determined meets section 2(a) of Reese's Law. First, the voluntary standards organization must notify the Commission of the revision. Once the Commission receives this notification, the Commission may reject or accept the revised standard. The Commission may reject the revised standard by notifying the voluntary standards organization, within 90 days of receiving notice of the revision, that it has determined that the revised standard, in whole or in part, does not improve the safety of the consumer product and that it is retaining all or part of the existing standard. If the Commission does not take action to reject the revised standard, then the revised voluntary standard will be considered a consumer product safety standard issued under section 9 of the Consumer Product Safety Act (CPSA; 15 U.S.C. 2058), effective 180 days after the Commission received notification of the revision or on a later date specified by the Commission in the *Federal Register*. 15 U.S.C. 2056e(f).

On July 22, 2026, ULSE published a revision to the voluntary standard for consumer products containing button cell or coin batteries, UL 4200A-2026. The revised voluntary standard includes performance requirements and test methods, as well as warning label requirements on the packaging of consumer products; accompanying literature; and consumer products, as practicable, to address the hazard posed by ingestion of button cell or coin batteries.

On August 17, 2026, ULSE notified CPSC of the revision. On August 17, 2026, UL notified the Commission that it had approved and published a revised version of the voluntary standard, UL 4200A-2026.

On September 3, 2026, the Commission published in the *Federal Register* a notice of availability of the revised voluntary standard and sought comments on the effect of the revisions. 91 FR 56604. CPSC received 37 comments on the notice of availability. One commenter, Michael Conte, specifically supported adopting revisions to UL 4200A that make button cell and coin battery warnings clearer, more visible, and easier for consumers to understand; another commenter, Katelyn Marrs, stated the revisions should be accepted if they improve clarity, expand coverage, or improve the performance of child-resistant enclosures.

Three of the commenters, Steven Singleton, the Native Claim Firm, and Ms. Marrs, discussed issues with the process for the notice and made suggestions regarding that process. Specifically, Mr. Singleton stated that the notice did not provide an accurate date on which ULSE notified CPSC of the revision, and all three commenters discussed the various steps required to obtain a copy of the voluntary standard to review and identify the changes. The commenters requested that CPSC provide a list of the changes or take other steps to let commenters review the updated standard more easily. The Commission thanks the commenters for their input and will consider the suggestions going forward. Per some commenters' request, we note the changes to the standard are discussed below.

Finally, 33 of the comments discussed issues related to the child protective packaging requirements for button cell or coin battery packaging in section 3 of Reese's Law, especially as the requirements relate to hearing-aid batteries. These comments are out of scope of this update, which only deals with the revisions made to the voluntary standard, and thus will not be addressed here. The Commission appreciates the interest of the commenters in this matter.

Based on staff's review and assessment of the changes in UL 4200A-2026, discussed below, and the public comments received, the Commission concludes that UL 4200A-2026

increases the safety of products containing button cell or coin cell batteries, and thus is allowing the revised voluntary standard to become the mandatory standard for consumer products containing button cell or coin batteries. Pursuant to section 2(f)(2) of Reese's Law, the Commission may reject the revised voluntary standard if "the revised voluntary standard, in whole or in part, does not improve the safety of the consumer product covered by the standard." 15 U.S.C. 2056e(f)(2). For the reasons discussed below, the Commission has not determined that "the proposed revision does not improve the safety of the consumer product covered by the standard." Accordingly, by operation of law under section 2(f)(2) of Reese's Law, UL 4200A-2026 will become the mandatory consumer product safety standard for products containing button cell or coin batteries on February 13, 2027. 15 U.S.C. 2056e(f)(2). This direct final rule updates part 1263 to incorporate by reference the revised voluntary standard, UL 4200A-2026 as the mandatory standard.[1]

II. Revisions to UL 4200A

ULSE published the revised voluntary standard UL 4200A-2026 on July 22, 2026. This is the first time ULSE has revised the voluntary standard for products containing button cell or coin batteries since the adoption of UL 4200A-2023, which is the current mandatory standard. UL 4200A-2026 includes clarifications to the packaging and product marking requirements. This section describes in detail the changes to UL 4200A-2026.

Markings

UL 4200A-2026 revises the packaging and product safety warnings shown in Figures 7B.1, 7B.2, 7B.3, 7B.4, and 7C.1 to make the Safety Alert Symbol at least as tall as the signal word ("WARNING"). Previously, the Safety Alert Symbol as shown in these figures was slightly smaller than the signal word. This change aligns with the requirements in ANSI Z535.4, *American National Standard for Product Safety Signs and Labels*, section 6.3, and ensures the Safety Alert Symbol is displayed prominently on required warnings.

[1] The Commission voted 3-0 to publish this notice.

UL 4200A-2026 also revises the product marking requirements in section 7C.2. This section addresses usage of the alternative product marking shown in Figure 7C.2 – the Safety Alert Symbol combined with a button/coin cell symbol – including that the marking must use the color shown in the figure when on a printed label using more than one color. The revision clarifies that when the alternative product marking is stamped or molded into the product, the icon may be the same color as the molded/stamped part. The current mandatory standard, UL 4200A-2023, does not directly address molded or stamped parts. However, molded or stamped warnings can be a durable means of displaying important safety information. Per section 7A.1 (unchanged from UL 4200A-2023), all warning statements or icons must be prominent, legible, easily discernable under normal lighting conditions, and permanently marked. This includes warning statements or icons that are molded or stamped in a single color.

The revisions in UL 4200A-2026 ensure that the Safety Alert Symbol is displayed prominently on required warnings, consistent with the relevant voluntary standard, and clarify that the alternative product marking can be molded or stamped in a single color as a durable means of displaying important safety information. Therefore, the revisions in UL 4200A-2026 described above increase the safety of products containing button cell or coin cell batteries.

III. Incorporation by Reference

Section 1263.3 of the direct final rule incorporates by reference UL 4200A-2026. The Office of the Federal Register (OFR) has regulations regarding incorporation by reference. 1 CFR part 51. Under these regulations, agencies must discuss in the preamble of the final rule ways in which the material the agency incorporates by reference is reasonably available to interested parties, and how interested parties can obtain the material. In addition, the preamble to the final rule must summarize the material. 1 CFR 51.5(b).

In accordance with the OFR regulations, section I of this preamble summarizes the material in UL 4200A-2026 that the Commission incorporates by reference into 16 CFR part 1263. The standard is reasonably available to interested parties in several ways. A read-only

copy of the standard is available to view at no cost on the UL website at: https://www.ulstandards.com/IBR/logon.aspx. Additionally, interested parties can purchase a copy of UL 4200A-2026 from UL, 151 Eastern Avenue, Bensenville, IL 60106, phone: 1-888-853-3503 or online at: https://shopulstandards.com/. Finally, interested parties can schedule an appointment to inspect a copy of the standard at CPSC's Office of the Secretary, U.S. Consumer Product Safety Commission, 441 G Street NW, Washington, DC 20548; telephone: (301) 504-7479; email: cpsc-os@cpsc.gov.

IV. Certification

Section 14(a) of the CPSA (15 U.S.C. 2063(a)) requires manufacturers, including importers, of products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, to certify that the products comply with all applicable CPSC requirements. 15 U.S.C. 2063(a). Such certification must be based on a test of each product, or on a reasonable testing program, or, for children's products, on tests of a sufficient number of samples by a CPSC-accepted third party conformity assessment body accredited to test according to the applicable requirements. As noted, standards determined by the Commission to meet section 2(a) of Reese's Law are consumer product safety rules. 15 U.S.C 2056e(e)(1). Thus, they are subject to the testing and certification requirements of section 14 of the CPSA. A CPSC-accepted third party conformity assessment body must test samples of consumer products containing button cell or coin batteries that are children's products.

Section 14(a) of the CPSA requires that manufacturers (including importers) of non-children's products subject to a rule issue a general certificate of conformity (GCC). GCCs certify the products as being compliant with applicable regulations and must be based on a test of each product or a reasonable testing program. Unlike children's products, products that have GCCs are not required to undergo third party testing. Section 14(g) and 16 CFR part 1110 state the requirements for GCCs. Among other requirements, each certificate must identify: the

manufacturer issuing the certificate; any laboratory conducting testing on which the certificate depends; the date and place of manufacture; the date and place where the product was tested; each party's name, full mailing address, and telephone number; and contact information for the individual responsible for maintaining records of test results. The certificates must be in English and must be furnished to each distributor or retailer of the product and to the CPSC, if requested.

Products subject to part 1263 must also comply with all other applicable CPSC requirements; for example, children's products subject to part 1263 must comply with the lead content requirements in section 101 of the CPSIA,[2] product subject to the phthalates prohibitions in section 108 of the CPSIA[3] and 16 CFR part 1307, the tracking label requirements in section 14(a)(5) of the CPSA,[4] and the consumer registration form requirements in 16 CFR part 1130. UL 4200A-2026 makes no changes to any of these existing requirements.

V. Notice of Requirements

In accordance with section 14(a)(3)(B)(vi) of the CPSA (15 U.S.C. 2063(a)(3)(B)(vi)), the Commission previously published a notice of requirements (NOR) for accreditation of third party conformity assessment bodies (third party laboratories) for testing consumer products containing button cell or coin batteries. 76 FR 22030 (Sep. 21, 2023). The NOR provided the criteria and process for CPSC to accept accreditation of third party conformity assessment bodies for testing consumer products containing button cell or coin batteries to 16 CFR part 1263. The NORs for all mandatory standards for children's products are listed in the Commission's rule, "Requirements Pertaining to Third Party Conformity Assessment Bodies," codified in 16 CFR part 1112. The NOR for accreditation of third party labs for testing consumer products containing button cell or coin batteries is codified at 16 CFR 1112.15(b)(55).

UL 4200A-2026 did not change the testing requirements, testing equipment, or testing protocols for consumer products containing button cell or coin batteries. Accordingly, the

[2] 15 U.S.C. 1278a.
[3] 15 U.S.C. 2057c.
[4] 15 U.S.C. 2063(a)(5).

revisions in UL 4200A-2026 do not change the way that third party conformity assessment bodies test these products for compliance with the safety standard for button cell or coin batteries or consumer products containing such batteries. Testing laboratories that have demonstrated competence for testing in accordance with UL 4200A-2023 will have the competence to test in accordance with the revised standard UL 4200A-2026. Therefore, the Commission considers the existing CPSC-accepted laboratories for testing to UL 4200A-2023 to be capable of testing to UL 4200A-2026 as well. Accordingly, the existing NOR for this standard will remain in place, and CPSC-accepted third party conformity assessment bodies are expected to update the scope of the testing laboratories' accreditations to reflect the revised standard in the normal course of renewing their accreditations.

VI. Direct Final Rule Process

The Commission is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA; 5 U.S.C. 551-559) generally requires agencies to provide notice of a rule and an opportunity for interested parties to comment on it, section 553 of the APA provides an exception when the agency "for good cause finds" that notice and comment are "impracticable, unnecessary, or contrary to the public interest." *Id*. 553(b)(B). The Commission concludes that when it updates a reference to a voluntary standard that the Commission previously incorporated by reference under Reese's Law, notice and comment are not necessary.

The purpose of this direct final rule is to update the reference in the Code of Federal Regulations (CFR) so that it reflects the version of the standard that takes effect by statute. This rule updates the reference in the CFR, but as specified in Reese's Law, UL 4200A-2026 would take effect as the new CPSC standard for consumer products containing button cell or coin batteries in the absence of any action by the Commission. Thus, public comments would not lead to substantive changes to the standard or to the effect of the revised standard as a consumer product safety rule under section 2(f) of Reese's Law. Under these circumstances, notice and comment are unnecessary.

In Recommendation 2024-6, the Administrative Conference of the United States (ACUS) endorses direct final rulemaking as an appropriate procedure to expedite rules that are unlikely to elicit any significant adverse comments. *See* 89 FR 106406 (Dec. 30, 2024). ACUS recommends that agencies use the direct final rule process when they act under the "unnecessary" prong of the good cause exemption in 5 U.S.C. 553(b)(B). *Id.* at 106409. ACUS also explains that notice and comment may be "unnecessary" when the agency lacks discretion regarding the substance of the rule. *Id.* at 106408. As noted, this rule updates a reference in the CFR to reflect a change that occurs by operation of law. Consistent with the ACUS recommendation, the Commission is publishing this rule as a direct final rule because CPSC does not expect any significant adverse comments.

Unless CPSC receives a significant adverse comment within 30 days of this notification, the rule will become effective on February 13, 2027. In accordance with ACUS's recommendation, the Commission considers a significant adverse comment to be one where the commenter explains why the rule would be inappropriate, "including challenges to the rule's underlying premise or approach," or where the commenter explains why the rule would be ineffective or unacceptable without change. *Id.* at 106409. As noted, this rule updates a reference in the CFR to reflect a change that occurs by statute.

If the Commission receives a significant adverse comment, the Commission will withdraw this direct final rule. Depending on the comment and other circumstances, the Commission may then incorporate the adverse comment into a subsequent direct final rule or publish a notice of proposed rulemaking, providing an opportunity for public comment.

VII. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA; 5 U.S.C. 601-612) generally requires agencies to review proposed and final rules for their potential economic impact on small entities, including small businesses, and prepare regulatory flexibility analyses. 5 U.S.C. 603, 604. The RFA applies to any rule that is subject to notice and comment procedures under section 553 of the

APA. *Id.* As discussed in section V of this preamble, the Commission has determined that notice and the opportunity to comment are unnecessary for this rule. Therefore, the RFA does not apply. CPSC also notes the limited nature of this document, which merely updates the incorporation by reference to reflect the mandatory CPSC standard that takes effect under section 2 of Reese's Law.

VIII. Paperwork Reduction Act

The current mandatory standard includes requirements for marking, labeling, and instructional literature that constitute a "collection of information," as defined in the Paperwork Reduction Act (PRA; 44 U.S.C. 3501-3521). The Commission took the steps required by the PRA for information collections when it promulgated 16 CFR part 1263, and the marking, labeling, and instructional literature for consumer products containing button cell or coin batteries are currently approved under OMB Control Number 3041-0195. While the rule clarifies language regarding warnings, the clarifications do not add to the burden hours because the products already require marking and labeling. Because the information collection burden is essentially unchanged, the revision does not affect the information collection requirements or approval related to the standard.

IX. Environmental Considerations

The Commission's regulations provide for a categorical exclusion from any requirement to prepare an environmental assessment or an environmental impact statement where they "have little or no potential for affecting the human environment." 16 CFR 1021.5(c). This rule falls within the categorical exclusion, so no environmental assessment or environmental impact statement is required.

X. Preemption

Section 26(a) of the CPSA provides that where a consumer product safety standard is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a requirement dealing with the same risk of injury unless the state requirement

is identical to the Federal standard. 15 U.S.C. 2075(a). Section 26(c) of the CPSA also provides that states or political subdivisions of states may apply to CPSC for an exemption from this preemption under certain circumstances. Section 2 of Reese's Law deems rules issued under that law to be consumer product safety rules. Therefore, once a rule issued under section 2 of Reese's Law takes effect, it will preempt state laws in accordance with section 26(a) of the CPSA.

XI. Effective Date

Under the procedure set forth in section 2(f) of Reese's Law, when a voluntary standards organization revises a standard that the Commission adopted as a mandatory standard, the revision becomes the CPSC standard 180 days after notification to the Commission, unless the Commission determines that the revision, in whole or in part, does not improve the safety of the product, or the Commission sets a later date in the *Federal Register*. 15 U.S.C. 2056e(f). The Commission is taking neither of those actions with respect to the revised standard for consumer products containing button cell or coin batteries. Therefore, UL 4200A-2026 automatically will take effect as the new mandatory standard for consumer products containing button cell or coin batteries on February 13, 2027, 180 days after the Commission received notice of the revision. As a direct final rule, unless the Commission receives a significant adverse comment within 30 days of this document, the rule will become effective on February 13, 2027, and will apply to products manufactured after the rule's effective date.

XII. Congressional Review Act and Executive Order 12866

Pursuant to the Congressional Review Act (CRA) and Executive Order (EO) 12866, the Office of Management and Budget's Office of Information and Regulatory Affairs has determined that this rule does not qualify as a "major rule," as defined in 5 U.S.C. 804(2), and is not a significant regulatory action, as defined under section 2(f) of EO 12866. To comply with the CRA, CPSC will submit the required information to each House of Congress and the Comptroller General.

List of Subjects in 16 CFR Part 1263

Administrative practice and procedure, Batteries, Consumer protection, Imports, Incorporation by reference, Infants and children, Labeling, Law enforcement.

For the reasons discussed in the preamble, the Commission amends 16 CFR chapter II as follows:

PART 1263—SAFETY STANDARD FOR BUTTON CELL OR COIN BATTERIES AND CONSUMER PRODUCTS CONTAINING SUCH BATTERIES

1. The authority citation for part 1263 continues to read as follows:

Authority: 15 U.S.C. 2052, 2056e.

2. Revise § 1263.3 to read as follows:

§ 1263.3 Requirements for consumer products containing button cell or coin batteries.

Each consumer product containing button cell or coin batteries shall comply with ANSI/UL 4200A-2026, *Standard for Safety for Products Incorporating Button Batteries or Coin Cell Batteries*, Revised July 22, 2026. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the U.S. Consumer Product Safety Commission and at the National Archives and Records Administration (NARA). Contact the U.S. Consumer Product Safety Commission at: the Office of the Secretary, U.S. Consumer Product Safety Commission, 441 G Street NW, Washington, DC 20548; phone: (301) 504-7479; email: cpsc-os@cpsc.gov. For information on the availability of this material at NARA, visit https://www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. A free, read-only copy of the standard is available for viewing on UL's website at https://www.ulstandards.com/IBR/logon.aspx. You may also obtain a copy from UL Standards and Engagement, 151 Eastern Avenue, Bensenville, IL 60106; phone: (888) 853-3503 website: https://shopulstandards.com/.

Alberta E. Mills,
Secretary,
Consumer Product Safety Commission.

[FR Doc. 2026-23435 Filed: 11/17/2026 8:45 am; Publication Date: 11/18/2026]